



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/509,408	03/27/2000	KLAUS MALER	POO,0450	3860

7590 12/19/2001

SCHIFF HARDIN & WAITE  
PATENT DEPARTMENT  
7100 SEARS TOWER  
CHICAGO, IL 60606-6473

EXAMINER

MEHRPOUR, NAGHMEH

ART UNIT

PAPER NUMBER

2682

DATE MAILED: 12/19/2001

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No. 09/509,408	Applicant(s) Klaus Maler
Examiner Naghmeh Mehrpour	Art Unit 2682

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

1)  Responsive to communication(s) filed on \_\_\_\_\_

2a)  This action is FINAL. 2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

### Disposition of Claims

4)  Claim(s) 7-12 is/are pending in the application.

4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5)  Claim(s) \_\_\_\_\_ is/are allowed.

6)  Claim(s) 7-12 is/are rejected.

7)  Claim(s) \_\_\_\_\_ is/are objected to.

8)  Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

11)  The proposed drawing correction filed on \_\_\_\_\_ is: a)  approved b)  disapproved.

12)  The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. § 119

13)  Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

a)  All b)  Some\* c)  None of:

1.  Certified copies of the priority documents have been received.

2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\*See the attached detailed Office action for a list of the certified copies not received.

14)  Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

### Attachment(s)

15)  Notice of References Cited (PTO-892)

18)  Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_

16)  Notice of Draftsperson's Patent Drawing Review (PTO-948)

19)  Notice of Informal Patent Application (PTO-152)

17)  Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_

20)  Other: \_\_\_\_\_

Art Unit:

**Priority**

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. **Claims 7-12**, are rejected under 35 U.S.C. 102(b) as being anticipated by Ault et al.(US Patent 5,754,542).

Regarding **Claims 7-8**, Ault teaches a communication terminal apparatus for wireless communication with a selected base station of one of at least two communication systems (Column 1 lines 39-46), the communication terminal apparatus being logged on as ready to receive the selected base station, the communication terminal apparatus comprising: recognition means for recognizing one of the at least two communication systems, the recognized communication system having the selected base station (Column 2 lines 5-9); and control means for allocating a network address to the recognized communication system under which the communication terminal apparatus can currently be reached and communicating control information via the selected base station to a control network address for influencing an activation/deactivation condition related to another communication system not having the selected

Art Unit:

base station (Column 4 lines 24-31), the control network address being stored in a memory (Column 4 lines 15-18).

Regarding **Claims 9-10**, Ault teaches a communication terminal apparatus wherein the control information activates a call redirection relating to a subscriber address under which the communication terminal apparatus can be reached via another communication system not having the selected base station, given corresponding readiness to receive the another communication system by the communication terminal apparatus (Column 2 lines 14-25).

Regarding **Claim 11**, Ault teaches a communication terminal apparatus wherein the memory stores a control network address of a mobility server (Column 4 lines 15-18).

Regarding **Claim 12**, Ault teaches a communication terminal apparatus wherein the memory stores a plurality of control network addresses of a plurality of communication systems, and the communication terminal apparatus further comprising: selection means for selecting at least one control network address of another communication system not having the selected base station (Column 2 lines 15-25).

*Conclusion*

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

**Melin** (US Patent Number 6,151,492) disclose method and an arrangement for setting up of connection in a telecommunication network

Art Unit:

**English** (US Patent Number 5,870,674) disclose method and apparatus for performing preferred system selection

**5. Any responses to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**or faxed to:**

(703) 872-9314, (for formal communications intended for entry)

**Or:**

(703) 308-6306, (for informal or draft communications, please label  
“PROPOSED” or “DRAFT”)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal  
Drive, Arlington, Va., sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communication from the examiner should  
be directed to Melody Mehrpour whose telephone number is (703) 308-7159. The examiner can  
normally be reached on Monday through Thursday (first week of bi-week) and Monday through  
Friday (second week of bi-week) from 6:30 a.m. to 5:00 p.m.

NM

Dec 9, 2001

*Nguyen Vo*  
12/17/01

**NGUYEN T. VO  
PRIMARY EXAMINER**